

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

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Christopher Defeo,

Plaintiff

Guy Leibstein,^v

Defendant

Civil Action No. 16-5150 (SJF) (SIL)

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

Suffolk County Police Department

To:

(Name of person to whom this subpoena is directed)

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: Certified Suffolk County Police Department records, including Internal Affairs Bureau records, relating to Christopher Defeo's September 22, 2015, arrest by Suffolk County Police and the related prosecution. Please see attached rider for additional information relating to the subpoenaed records.

Place: Law Office of Ryan Lozar
305 Broadway, Suite 1001
New York, NY 10007

Date and Time:
December 1, 2017 12pm

Inspection of Premises: YOU ARE **COMMANDER** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place: _____ Date and Time: _____

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 11/3/2017

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (*name of party*) Christopher Defeo
_____, who issues or requests this subpoena, are:
Law Office of Ryan Lozar, 305 Broadway, Suite 1001, New York, NY 10007, ryanlozar@gmail.com, (310) 867-1562

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 16-5150 SJF-SIL, Defeo v. Leibstein

SUMMONS RIDER

This rider to the attached Rule 45 subpoena, issued pursuant to the Federal Rules of Civil Procedure ("FRCP"), provides additional detail regarding the requested records.

In connection with Christopher Defeo's September 22, 2015, arrest, the County of Suffolk Police Department's Internal Affairs ("IA") division performed an investigation under (on information and belief, Internal Affairs case number 15-836i). Although the attached FRCP 45 subpoena seeks any and all certified records created in connection with Mr. Defeo's September 22, 2015, arrest and prosecution, this rider clarifies that Mr. Defeo also seeks the IA records.

The records that are the subject of this FRCP 45 subpoena were previously the subject of an Unsealing Order ordered by the Suffolk County District Court relating to this action. Enclosed herewith please find a true and accurate copy of a fully executed Stipulated Order to Unseal Records Pursuant to CPL § 160.50 and § 160.55 in reference to this matter.

Please note that in lieu of appearance to produce the records, this subpoena may be satisfied by forwarding the certified copies of records to the Law Office of Ryan Lozar, 305 Broadway, Suite 1001, New York, NY 10007. Any and all questions regarding the same may be directed to Ryan Lozar, Esq., of that office at (310) 867-1562 or ryanlozar@gmail.com.

Below is identifying information about Christopher Defeo, the September 22, 2015, arrest and ensuing prosecution that may aid in the location of records.

Name:	Christopher Defeo
DOB:	July 31, 1980
Social Security No.:	570-61-8800
NYSID:	0974483M
Arrest No.	026230-15
Criminal Complaint No.:	15-0443890
Dist. Ct. Docket No.:	2015 SU 038628
Criminal charge:	New York State Penal Law Section 155.25
Internal Affairs Case No.:	15-836i (on information and belief)